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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,459

09/28/2006

Ikuo Tajima

IIZU:029

9268

37013 7590 11/17/2008  
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EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT

PAPER NUMBER

3765

MAIL DATE

DELIVERY MODE

11/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/599,459	<b>Applicant(s)</b> TAJIMA ET AL.	
	<b>Examiner</b> Ismael Izaguirre	<b>Art Unit</b> 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/28/06, 2/1/08</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***SPECIFICATION***

#### ***Abstract***

The abstract of the disclosure is objected to because of its length. An Abstract should be limited to no more than 150. Correction is required. See MPEP § 608.01(b).

#### ***Oath/Declaration***

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because it does not properly state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.

### ***CLAIMS***

#### ***Summary***

Claim 1 is the independent claim under consideration in this Office Action.

Claims 2-4 are the dependent claims under consideration in this Office Action.

#### ***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tajima (4,848,253).

Tajima teaches a sequin feeder comprising a feed mechanism for feeding strip of sequins from a reel. The sequins are fed one at a time and as the sequin is fed and sewn, it is cut from the strip and attached to the material being adorned. The feeder includes a lever 150 which is actuated by a movable bar 128 and this spins a wheel which has pins for engaging the sequin strip. As the lever is actuated, the sequin strip is moved forward and a needle 10 engages the central hole of the sequin to be attached and cut from the strip. A cutter 172 is provided for cutting the sequin from the strip. The cutter includes a blade portion and a movable portion which is pivotally attached and moved up and down for cutting the sequin. The front or cutting end of the blade has a thickness smaller than another part of the knife that abuts against a member movable by the needle bar. Specifically, the thickness is reduced at the needle drop position.

Claims 1, 3 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sik (KR100367355B).

Sik teaches a sequin feeder comprising a feed mechanism for feeding strip of sequins from a reel. The sequins are fed one at a time and as the sequin is fed and sewn, it is cut from the strip and attached to the material being adorned. The feeder includes a lever 152 which is actuated by a motor shaft which provides an oscillating motion to the feeder. The lever moves to and from along with a spring 52a which provides a retracting force. The lever includes an end which engages a hole in the strip and thus moves the strip forward in preparation of forming and attaching a sequin or

sequins. As the lever is actuated, the sequin strip is moved forward and a needle b engages the central hole of the sequin to be attached and cut from the strip. The lever is attached to the driving element 50 by a means 53 and this provides an adjustment for adjusting the throw of the lever in accordance with the size of the sequin. A cutter 60 is provided for cutting the sequin from the strip. The cutter includes a blade portion and a movable portion which is pivotally attached and moved up and down for cutting the sequin. The front or cutting end of the blade has a tapered thickness smaller than a part of the knife that abuts against a member movable by the needle bar. Specifically, the thickness is reduced at the needle drop position.

#### ***PERTINENT CITATIONS***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fenzi illustrates a knife including a reduced thickness at the cutting end. Lenson et al. '546, Ochsner, Lenson '057 and Mori illustrate sequin feeders including cutters for cutting formed sequins as they are attached to the material being embellished.

#### ***INQUIRIES***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on (571) 272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ismael Izaguirre/  
Primary Examiner, Art Unit 3765